

May 3, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP-10904-
(SEVENTH-REVISION) -

EXPIRATION-DATE:--April-30,-2010-----

----- (FOR-RENEWAL, -SEE-49-CFR-§-107.109) -

1.- GRANTEE:--InVitro-International--
Irvine,-CA--

2.- PURPOSE-AND-LIMITATION:---

a.--This-special-permit-authorizes-the-use-of-a-
classification-test-method-for-the-determination-of-skin-
corrosivity-as-an-alternative-to-a-procedure-specified-in-
the-Hazardous-Materials-Regulations-(HMR).-This-special-
permit-provides-no-relief-from-the-HMR-other-than-as-
specifically-stated-herein.-

b.--The-safety-analyses-performed-in-development-of-this-
special-permit-only-considered-the-hazards-and-risks-
associated-with-transportation-in-commerce.--

c.--Party-status-will-not-be-granted-to-this-special-permit.-

3.- REGULATORY-SYSTEM-AFFECTED:--49-CFR-Parts-106,-107-and-171-
180.--

4.- REGULATIONS-FROM-WHICH-EXEMPTED:--The-marking-requirements-
of-§§-172.203(a),-172.301(c)-and-172.302(b)-and-(c);and----
§§-173.136(a)-and-173.137-in-that-the-use-of-a-non-animal-
test-method-is-not-authorized-except-as-specified-herein.-

5.- BASIS:--This-special-permit-is-based-on-the-application-of-
InVitro-International-dated-April-26,-2006,-submitted-in-
accordance-with-§-107.109.-

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6.- HAZARDOUS-MATERIALS:-

The-following-types-of-materials-may-be-tested-as-specified-by-this-special-permit:-

a.--Acids,-inorganic-and-organic.-

b.--Acid-derivatives-(anhydrides,-haloacids,-salts--

-----etc.),-inorganic-and-organic.-

c.--Acyl-halides.-

d.--Alkylamines-and-polyalkylamines.-

e.--Bases,-inorganic-and-organic.-

f.--Chlorosilanes.-

g.--Metal-halides-and-oxyhalides.-

7.- SAFETY-CONTROL-MEASURES:-

a.--As-an-alternative-to-the-procedure-specified-in-§-173.136(a),-the-corrosivity-of-a-material-described-in-Paragraph-6-above-may-be-determined-in-accordance-with-the-test-method-specified-in-Paragraphs-4.4A-through-4.4E-of-InVitro-International's-application-dated-September-28,-1992,-as-amended.-

b.--For-materials-that-are-determined-to-be-corrosive,-packing-groups-must-be-assigned-according-to-Paragraph-4.4C-of-the-application.-

8.- SPECIAL-PROVISIONS:-

a.--This-special-permit-authorizes-the-use-of-an-alternative-test-method-for-the-determination-of-skin-corrosivity-by-any-person-or-class-of-persons,-in-addition-to-the-holder-of-this-special-permit,-subject-to-the-terms-specified-herein.-However,-no-person-may-apply-the-test-method-authorized-by-this-special-permit-unless-that-person-maintains-a-current-copy-of-this-special-permit-and-the-test-method-identified-in-Paragraph-7-above-at-each-facility-where-the-tests-are-performed-for-the-purpose-of-determining-the-hazard-class-and-packing-group-of-a-material-for-its-transportation-in-commerce.-

b.--A-current-copy-of-this-special-permit-must-be-retained-by-each-person-initially-offering-a-hazardous-material-for-transportation-under-this-special-permit.-

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c.--Packages-containing-corrosive-materials,-classified-and-assigned-packing-groups-as-authorized-by-this-special-permit,-may-be-offered-and-reoffered-for-transportation-and-transported-in-the-same-manner-as-required-for-corrosive-materials-classed-according-to-§-173.136(a).-

d.--The-marking-requirements-of-49-CFR,-§§-172.203(a),-172.301(c)-and-172.302(b)-and-(c)-are-waived-unless-another-special-permit-is-involved-requiring-the-display-of-an-special-permit-number.--

9.- MODES-OF-TRANSPORTATION-AUTHORIZED:--Motor-vehicle,-rail-freight,-cargo-vessel,-cargo-aircraft-only,-passenger-carrying-aircraft.-

10.- MODAL-REQUIREMENTS:--None-as-a-condition-of-this-special-permit.-

11.- COMPLIANCE:--Failure-by-a-person-to-comply-with-any-of-the-following-may-result-in-suspension-or-revocation-of-this-special-permit-and-penalties-prescribed-by-the-Federal-hazardous-materials-transportation-law-49-U.S.C.-5101-et-seq.:--

o- All-terms-and-conditions-prescribed-in-this-special-permit.-

o- Persons-operating-under-the-terms-of-this-special-permit-must-comply-with-the-security-plan-requirement-in-Subpart-I-of-Part-172-of-the-HMR,-when-applicable.-

o- Registration-required-by-§-107.601-et-seq.,when---appropriate.-

Each-"Hazmat-employee",-as-defined-in-§-171.8-who-performs-a-function-subject-to-this-special-permit-must-receive-training-on-the-requirements-and-conditions-of-this-special-permit-in-addition-to-the-training-required-by-§§-172.700-through-172.704.-

No-person-may-use-or-apply-this-special-permit-when-it-has-expired-or-is-otherwise-no-longer-in-effect.-

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Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) -- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' - (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

- 12.- REPORTING REQUIREMENTS:--Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15--Immediate notice of certain hazardous materials incidents, and 171.16--Detailed hazardous materials incident reports.--In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:----

/s/ 

for Robert A. McGuire
Associate Administrator
----for Hazardous Materials Safety-

Address all inquiries to:--Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C.--20590.-Attention:--PHH-31.-

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted.--Any alteration of this special permit is prohibited.

PO:-GEC/sln-